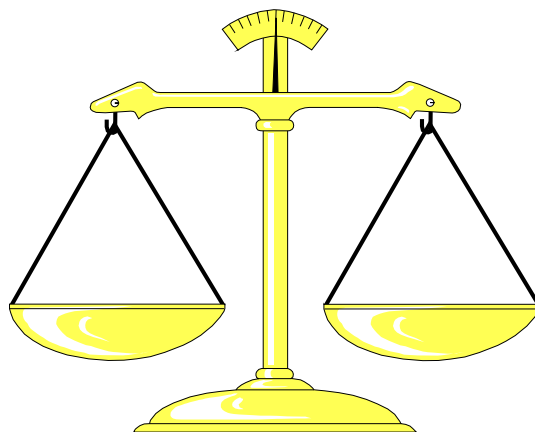


UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS  
MANUAL FOR PRACTITIONERS



HARDIN W. HAWES, CLERK

Revised May 20, 2003

This Manual was prepared by  
the deputy clerks of the U.S. Bankruptcy Court  
for the Central District of Illinois  
to assist those who practice here.

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## OFFICE OPERATIONS

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### **DANVILLE COURT**

Judge: Gerald D. Fines, Chief Judge

Address: 130 Federal Building  
201 N. Vermilion Street  
Danville, IL 61832

Phone: 217/431-4820

Office Hours: Monday through Friday  
8:00 a.m. - 4:30 p.m.

Deputy-in-Charge: Debby Townsley

### **PEORIA COURT**

Thomas L. Perkins  
William V. Altenberger

216 Federal Building  
100 N.E. Monroe Street  
Peoria, IL 61602

309/671-7035

Monday through Friday  
8:00 a.m. - 5:00 p.m.

Kathy Traenkenschuh

### **SPRINGFIELD COURT**

Judge: Larry L. Lessen

Address: 226 U.S. Courthouse  
600 E. Monroe Street  
Springfield, IL 62701

Phone: 217/492-4551

Office Hours: Monday through Friday  
8:00 a.m. - 5:00 p.m.

Deputy-in-Charge: Carole Wilson

**CLERK OF THE COURT**

Hardin W. Hawes  
226 U.S. Court House  
600 E. Monroe Street  
Springfield, IL 62701  
Phone: 217/492-4551

**CHIEF DEPUTY**

Pamela C. Schuster  
226 U.S. Court House  
600 E. Monroe Street  
Springfield, IL 62701  
Phone: 217/492-4551

**PACER**

Phone: 217/492-4260                      or                      800-454-9893

**VCIS**

Phone: 217/492-4550                      or                      800-827-9005

## FILING FEES

### CASE FILING FEES

Chapter 7 voluntary	\$ 200.00
Chapter 7 involuntary	200.00
Chapter 9	800.00*
Chapter 11 (non railroad)	830.00
Chapter 11 (railroad)	1,030.00
Chapter 12	230.00
Chapter 13	185.00

### FEES FOR MOTIONS/PLEADINGS

Reopen Chapter 7	\$155.00
Reopen Chapter 13	155.00
Reopen Chapter 12	200.00
Reopen Chapter 11	800.00
Deconsolidation ( <i>Joint case Chapters 7/13</i> )	\$77.50
Deconsolidation ( <i>Joint case Chapter 11</i> )	400.00
Deconsolidation ( <i>Joint case Chapter 12</i> )	100.00
Motion to Convert to Chapter 11 ( <i>Debtor's request only</i> )	\$645.00*
Motion/Notice to Convert to Chapter 7	15.00
Complaints	\$150.00
Filing Petition Ancillary to a foreign proceeding	800.00***
Motion to terminate, modify or condition the automatic stay	75.00
Motion to Withdraw Reference	75.00
Motion to Compel Abandonment	75.00
Registration of Judgment	30.00**
Amendment to Liability Schedules/Matrix	20.00
Notice of Appeal/Cross Appeal	\$ 5.00
Appeal Docketing Fee	100.00
Cross Appeal Docketing Fee	100.00

\* New filing fee increase effective November 13, 2000

\*\* New fee increase effective February 1, 2001

\*\*\* New fee increase effective July 1, 2001

## **FEES FOR SERVICES**

Copywork	\$ .50 per page
Certification	7.00**
Search of Record	20.00**
Exemplification Fee	14.00**
Retrieval of Case from FRC/Nat'l Archives	35.00***
NSF Check	35.00**

**\*\* New fee increase effective February 1, 2001**

**\*\*\* New fee increase effective July 1, 2001**



## LOCATIONS OF SECTION 341 MEETINGS

The County in which the petitioning debtor resides determines the location of the Section 341 Meeting.

### DANVILLE DIVISION

Case numbers \_\_-9\_\_

<u>County</u>	<u>Location of §341 Meeting</u>
Champaign	Danville
Coles	Paris
Douglas	Paris
Edgar	Paris
Ford	Danville
Iroquois	Kankakee
Kankakee	Kankakee
Livingston	Kankakee
Moultrie	Paris
Piatt	Danville
Vermilion	Danville

Cases from the above counties are to be filed in Danville, Illinois

Addresses of §341 Meeting Locations:

#### Danville

208 Federal Building  
201 N. Vermillion St.  
Danville, IL 61832

#### Paris

Edgar County Courthouse  
115 W. Court  
Paris, IL 61944

#### Kankakee

385 E. Oak St.  
2nd Floor City Hall  
Kankakee, IL 60901

## **PEORIA DIVISION**

Case numbers \_\_-8\_\_

<b><u>County</u></b>	<b><u>Location of §341 Meeting</u></b>
Bureau	Peoria
Fulton	Peoria
Hancock	Galesburg
Henry	Rock Island
Knox	Galesburg
Marshall	Peoria
Peoria	Peoria
McDonough	Galesburg
Putnam	Peoria
Stark	Peoria
Tazewell	Peoria
Woodford	Peoria

Cases from the above counties are to be filed in Peoria, Illinois

<b><u>County</u></b>	<b><u>Location of §341 Meeting</u></b>
Henderson	Galesburg
Mercer	Rock Island
Rock Island	Rock Island
Warren	Galesburg

Cases from the above counties may be filed in Peoria or Rock Island, Illinois

Addresses of §341 Meeting Locations:

### **Peoria**

1105 Becker Building  
401 Main Street  
Peoria, IL 61602

### **Rock Island**

U.S. Post Office and Courthouse Building  
211 - 19<sup>th</sup> Street  
Courtroom 226  
Rock Island, IL 61201

### **Galesburg**

Knox County Courthouse  
200 S. Cherry Street  
3rd Floor  
Galesburg, IL 61401

## SPRINGFIELD DIVISION

<u>County</u>	<u>Location of §341 Mtg.</u>	<u>County</u>	<u>Location of §341 Mtg.</u>	<u>County</u>	<u>Location Of §341 Mtg.</u>
Adams	Quincy	DeWitt:			
Brown	Quincy	Clinton	Decatur	Macon	Decatur
Cass	Springfield	DeWitt	Decatur	Macoupin	Springfield
Christian:		Farmer City	Bloomington	Mason	Springfield
Assumption	Decatur	Kenney	Decatur	McLean	Bloomington
Bulpitt	Springfield	Lane	Decatur	Menard	Springfield
Clarksdale	Springfield	Wapella	Bloomington	Montgomery	Springfield
Dunkel	Decatur	Waynesville	Bloomington	Morgan	Springfield
Edinburg	Springfield	Weldon	Decatur	Pike	Quincy
Hewittsville	Springfield	Greene	Springfield	Sangamon	Springfield
Jeiseyville	Springfield	Logan:		Schuyler	Quincy
Kincaid	Springfield	Atlanta	Bloomington	Scott	Quincy
Langleyville	Springfield	Beason	Decatur	Shelby	Decatur
Millersville	Springfield	Broadwell	Springfield		
Morrisonville	Springfield	Chestnut	Decatur		
Mt. Auburn	Decatur	Cornland	Springfield		
Owaneco	Springfield	Elkhart	Springfield		
Palmer	Springfield	Emden	Springfield		
Pana	Springfield	Hartsburg	Bloomington		
Rosamond	Springfield	Lake Fork	Decatur		
Sharpsburg	Springfield	Latham	Decatur		
Stonington	Springfield	Lawndale	Bloomington		
Taylorville	Springfield	Lincoln	Springfield		
Tovey	Springfield	Middletown	Springfield		
Wilkeys	Springfield	Mt. Pulaski	Decatur		
		New Holland	Springfield		
		San Jose	Bloomington		

Cases from the above counties are to be filed in Springfield, Illinois

Addresses of §341 meeting Locations:

### Bloomington

Chapter 7, 12 and 13: Law and Justice Center  
Courtroom 3E  
104 W. Front  
Bloomington, IL 61701

Chapter 11: Law and Justice Center  
Operations Room  
104 W. Front  
Bloomington, IL 61701

### Decatur

Chapter 7, 11, 12 and 13: Macon County Courthouse  
Courtroom 5C  
253 E. Wood St.  
Decatur, IL 62523

**Quincy**

Chapter 7, 11 and 12

Courtroom 2D  
Adams County Courthouse  
521 Vermont  
Quincy, IL 62301

Chapter 13

Adams County Courthouse  
2nd Floor, Small Jury Room  
521 Vermont  
Quincy, IL 62301

**Springfield**

Chapter 7, 11, 12 and 13

332 U.S. Court House  
600 E. Monroe Street  
Springfield, IL 62701

## **CENTRAL DISTRICT OF ILLINOIS TRUSTEES**

### **CHAPTER 7**

Richard Barber, 318 Hill Arcade Building, Galesburg, IL 61401  
(309) 342-4139

Glen R. Barmann, 200 E. Court Street, Kankakee, IL 60901  
(815) 939-1133

Charles Covey, 700 Commerce Bank Building, Peoria, IL 61602  
(309) 673-3807

A. Clay Cox, P.O. Box 3067, Bloomington, IL 61702-3067  
(309) 828-7331

Mark T. Dunn, P.O. Box 3488, Bloomington, IL 61702-3488  
(309) 828-6241

James R. Geekie, P.O. Box 65, Paris, IL 61944  
(217) 465-7681

John E. Maloney, P.O. Box 296, Urbana, IL 61801  
(217) 384-7111

Steve Miller, 11 E. North Street, Danville, IL 61832  
(217) 442-0350

William F. Nissen, 522 Vermont Street #2, Quincy, IL 62306  
(217) 222-1569

Mariann Pogge, 1001 Durkin Drive, Springfield, IL 62704  
(217) 793-7412

Gary Rafool, 411 Hamilton Boulevard #1600, Peoria, IL 61602  
(309) 673-5535

Jeffrey D. Richardson, P.O. Box 1664, Decatur, IL 62525  
(217) 425-1515

John L. Swartz, P.O. Box 2117, Springfield, IL 62705  
(217) 525-1571

Jeffrey C. Taylor, 420 Millikin Court, Decatur, IL 62523  
(217) 428-2100

James R. Inghram, Suite 409, Bank of America Building, 529 Hampshire Street, Quincy, IL 62301  
(217) 222-7420

### **CHAPTER 12**

Michael Clark, 401 Main Street, Ste. 1130, Peoria, IL 61602-1241  
(309) 674-6109

## **CHAPTER 13**

Richard Bowers, P.O. Box 3760, Rock Island, IL 61204  
(309) 788-9355

Michael Clark, 401 Main Street, Ste. 1130, Peoria, IL 61602-1241  
(309) 674-6109

James R. Geekie, P.O. Box 65, Paris, IL 61944  
(217) 465-7681

John H. Germeraad, P.O. Box 257, Petersburg, IL 62675  
(217) 632-4346

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### **UNITED STATES TRUSTEE**

Kevin P. Dempsey  
Acting United States Trustee  
Becker Building, Room 1100  
401 Main  
Peoria, IL 61602

## **NUMBER OF COPIES NEEDED FOR REQUIRED DOCUMENTS**

The following is a list of the documents and number of each required for all bankruptcy cases presented for filing in the Central District of Illinois pursuant to a Standing Order entered July 5, 2000.

### **CHAPTER 7**

Matrix	-	original
Statement of Intent	-	original plus 3
Disclosure of Attorney Compensation	-	original plus 3
Petition	-	original plus 3
Statement of Financial Affairs	-	original plus 3
Summary of Schedules	-	original plus 3
Schedules A through J	-	original plus 3
Declaration Concerning Schedules	-	original plus 3

### **CHAPTER 11**

Matrix	-	original
Disclosure of Attorney Compensation	-	original plus 5
List of Equity Security Holders	-	original plus 1
List of 20 Largest Unsecured Creditors	-	original plus 1
Plan	-	original plus 1*

## **CHAPTER 11 CONT'D**

Disclosure Statement	-	original plus 3
Schedule of Salary	-	original
Petition	-	original plus 5
Statement of Financial Affairs	-	original plus 5
Summary of Schedules	-	original plus 5
Schedules A,B, & D-J	-	original plus 5
Declaration Concerning Schedules	-	original plus 5

## **CHAPTER 12**

Matrix	-	original
Disclosure of Attorney Compensation	-	original plus 3
Plan	-	original plus 1**
Petition	-	original plus 3
Statement of Financial Affairs	-	original plus 3
Summary of Schedules	-	original plus 3
Schedules A,B & D-J	-	original plus 3
Declaration Concerning Schedules	-	original plus 3

## **CHAPTER 13**

Matrix	-	original
Disclosure of Attorney Compensation	-	original plus 3



## **CHAPTER 13 CONT'D**

Plan	-	original plus 1***
Petition	-	original plus 3
Statement of Financial Affairs	-	original plus 3
Summary of Schedules	-	original plus 3
Schedules A,B & D-J	-	original plus 3
Declaration Concerning Schedules	-	original plus 3

\* Plan due from debtor within 120 days after case filed

\*\* Plan due 90 days after case filed

\*\*\*Plan is due 15 days after case filed

Chapters 11, 12 and 13 do not require Schedule C

## NUMBER OF COPIES NEEDED OF VARIOUS PLEADINGS

*PLEASE NOTE* - If you require a file stamped copy of an original document filed in this court, you must submit the copy **with a self-addressed, stamped envelope**. If you are filing documents in more than one bankruptcy case, you must submit a **separate** self-addressed, stamped envelope for each case. The stamped envelope provided must be large enough to accommodate the documents you would like returned.

### **ADVERSARY COMPLAINT** - Original

*Clerk's office will prepare summons and send to Attorney's office to serve on the proper parties.*

### **AMENDMENTS** - Original

*Debtor is responsible for serving notice of amendment to the trustee as well as any entity affected thereby B.R. 1009.*

### **ANSWERS** - Original

### **CHAPTER 11 U.S. TRUSTEE MONTHLY CASH FLOW STATEMENTS** - One Copy

*Also file a copy with the U.S. Trustee*

**CLAIMS** - Chapter 7 - original  
Chapter 11 - original  
Chapter 12 - original plus one copy  
Chapter 13 - original plus one copy

*\*NOTE\* - If you want a file stamped copy to be returned, an additional copy of the claim and a self addressed stamped envelope must also be submitted at the time the claim is filed.*

### **MOTIONS** - Original

**NOTICE OF APPEAL** - Original plus sufficient copies for parties involved plus the U.S. Trustee

*\*\*NOTE\*\* - Copies of all instruments listed in the Designation of Contents should be provided. The Clerk's office can make copies of these items at a cost of \$20.00 plus \$.50 per page.*

**OBJECTIONS - Original**

**REAFFIRMATION AGREEMENTS - Original**

**AMENDED CHAPTER 12 & 13 PLANS - Original**

## **HOW TO ASSEMBLE CASES**

### **INTRODUCTION**

This is designed to give you the required documents and the order in which they should be submitted for filing for each chapter (top to bottom).

### **CHAPTER 7**

1. Application and Order to Pay Filing Fee in Installments (for individual debtor(s) ONLY - required if filing fee not paid in full at time of filing)
2. Bankruptcy Petition (Official Form 1)
3. Statement of Financial Affairs with declaration (Official Form 7)
4. Summary of Schedules (Official Form 6)
5. Schedule A - Real Property (Official Form 6)
6. Schedule B - Personal Property (Official Form 6)
7. Schedule C - Property claimed as exempt (Official Form 6 or 5 page exemption Form Captioned "Schedule C")
8. Schedule D - Creditors Holding Secured Claims (Official Form 6)
9. Schedule E - Creditors Holding Unsecured Priority Claims (Official Form 6)
10. Schedule F - Creditors Holding Unsecured Nonpriority Claims (Official Form 6)
11. Schedule G - Executory Contracts and Unexpired Leases (Official Form 6)
12. Schedule H - Codebtors (Official Form 6)
13. Schedule I - Current Income of Individual Debtor(s) (Official Form 6)
14. Schedule J - Current Expenditures of Individual Debtor(s) (Official Form 6)
15. Declaration Concerning Debtor's Schedules (Official Form 6)

16. Statement of Intention
17. Disclosure of Attorney Compensation
18. Matrix

**\*\*NOTE\*\*** - *items 2 through 17 above should be stapled together.*

## **CHAPTER 11**

1. List of 20 Largest Unsecured Creditors
2. List of Equity Security Holders
3. Bankruptcy Petition (Official Form 1)
4. Exhibit A - *Corporation only*
5. Statement of Financial Affairs with declaration (Official Form 7)
6. Summary of Schedules (Official Form 6)
7. Schedule A - Real Property (Official Form 6)
8. Schedule B - Personal Property (Official Form 6)
9. Schedule D - Creditors Holding Secured Claims (Official Form 6)
10. Schedule E - Creditors Holding Unsecured Priority Claims (Official Form 6)
11. Schedule F - Creditors Holding Unsecured Nonpriority Claims (Official Form 6)
12. Schedule G - Executory Contracts and Unexpired Leases (Official Form 6)
13. Schedule H - Codebtors (Official Form 6)
14. Schedule I - Current Income of Individual Debtor(s) (Official Form 6)  
If debtor is a corporation or a partnership, prepare a customized Schedule
15. Schedule J - Current Expenditures of Individual Debtor(s) (Official Form 6)  
If debtor is a corporation or a partnership, prepare a customized Schedule
16. Declaration Concerning Debtor's Schedules (Official Form 6)
17. Disclosure of Attorney Compensation
18. Matrix

**\*\*NOTE\*\*** - *Items 3 through 17 above should be stapled together.*

## **CHAPTER 12**

1. Application and Order to Pay Filing Fee in Installments (for individual debtor(s) ONLY - required if filing fee no paid in full at time of filing)
2. Bankruptcy Petition (Official Form 1)
3. Statement of Financial Affairs with declaration (Official Form 7)
4. Summary of Schedules (Official Form 6)
5. Schedule A - Real Property (Official Form 6)
6. Schedule B - Personal Property (Official Form 6)
7. Schedule D - Creditors Holding Secured Claims (Official Form 6)
8. Schedule E - Creditors Holding Unsecured Priority Claims (Official Form 6)
9. Schedule F - Creditors Holding Unsecured Nonpriority Claims (Official Form 6)
10. Schedule G - Executory Contracts and Unexpired Leases (Official Form 6)
11. Schedule H - Codebtors (Official Form 6)
12. Schedule I - Current Income of Individual Debtor(s) (Official Form 6)  
If debtor is a corporation or a partnership, prepare a customized Schedule
13. Schedule J - Current Expenditures of Individual Debtor(s) (Official Form 6)  
If debtor is a corporation or a partnership, prepare a customized Schedule
14. Declaration Concerning Debtor's Schedules (Official Form 6)
15. Disclosure of Attorney Compensation
16. Matrix

***\*\*NOTE\*\* - Items 2 through 15 should be stapled together.***

## **CHAPTER 13**

1. Application and Order to Pay Filing Fee in Installments (required if filing fee not paid in full at time of filing)
2. Chapter 13 Plan
3. Summary of Plan (if filed)
4. Bankruptcy Petition (Official Form 1)
5. Statement of Financial Affairs with declaration (Official Form 7)
6. Summary of Schedules (Official Form 6)
7. Schedule A - Real Property (Official Form 6)
8. Schedule B - Personal Property (Official Form 6)
9. Schedule D - Creditors Holding Secured Claims (Official Form 6)
10. Schedule E - Creditors Holding Unsecured Priority Claims (Official Form 6)
11. Schedule F - Creditors Holding Unsecured Nonpriority Claims (Official Form 6)
12. Schedule G - Executory Contracts and Unexpired Leases (Official Form 6)
13. Schedule H - Codebtors (Official Form 6)
14. Schedule I - Current Income of Individual Debtor(s) (Official Form 6)
15. Schedule J - Current Expenditures of Individual Debtor(s) (Official Form 6)
16. Declaration Concerning Debtor's Schedules (Official Form 6)
17. Disclosure of Attorney Compensation
18. Matrix

**\*\*NOTE\*\*** - *Items 4 through 17 should be stapled together.*

## GUIDELINES FOR PREPARING THE CREDITOR MATRIX

In order to ensure that the cases you file can be properly read by the optical scanner without delay, we ask that you observe the following guidelines:

**TYPEFACE:** Lists must be typed in one of the following standard typefaces or print styles:

- Courier 10 pitch
- Prestige Elite
- Letter Gothic

**COLUMNS:** Lists should be typed with one single column per page not two or three columns per page.

**MARGINS:** Margins of at least 1 inch are required on each side of the paper as well as the top and bottom of the page.

**ADDRESS LINES:** Each name/address block must consist of no more than 5 total lines and each must be no more than 40 characters in length.

**ACCOUNT NUMBERS:** If account numbers are to be included as a part of the name/address block, they must be included on the line immediately following the name - **Do not include them as the last line or the first line in the block.**

**CASE:** Name/Address blocks should be typed using upper/lower case - **not all caps.**

**CITY/STATE ADDRESS LINE:** Type city, comma, 2 digit state abbreviation, one or two spaces and then the 5 digit zip code. City, State and Zip Code **MUST** be on the same line.

**DO NOT:**

- Spell out the state
- Use periods between letters (N.C.)
- Use abbreviations other than Post Office accepted two digit abbreviations
- Use 9 digit zip code

**Do Not Include** the following on creditor matrixes:

- |                |                      |
|----------------|----------------------|
| - Debtor       | - U.S. Trustee       |
| - Joint Debtor | - Debtor(s) Attorney |

**I.R.S. ADDRESS:** The correct address(es) to be used for the Internal Revenue Service are as follows:

**For all Cases**

Internal Revenue Service  
320 W. Washington Stop 5000  
Springfield, IL 62701-1135



## **MATRIX ON DISK**

The Clerk's office encourages the submission of the matrix on disk. For assistance please contact **Systems Manager Shirley Aleguas at 217-492-4261** or **Assistant Systems Manager Bob Emerson at 217-492-4849**.

## COMMONLY USED FEDERAL AND STATE AGENCY ADDRESSES

For all Chapters

### **Internal Revenue Service**

320 W. Washington  
Springfield, IL 62701

When scheduling Veterans Administration  
as a creditor, if no other address  
available use

### **Veterans Administration**

Regional Office  
POB 8136  
536 S. Clark  
Chicago, IL 60680

When Scheduling Farmers Home  
Administration, Dept. of Agriculture,  
ASCS - Farmers Home Administration, use as  
an additional address

### **Farmers Home Administration**

U.S. Dept. of Agriculture  
Illini Plaza, Suite 103  
1817 S. Neil St.  
Champaign IL 61820

When scheduling Dept. of Agriculture,  
ASCS - Farmers Home Administration,  
ASCS, Commodity Credit Corp., use as an  
additional address

### **USDA - IL State ASCS Office**

2305 W. Monroe St., #1  
POB 19273  
Springfield, IL 62794

When scheduling Federal Crop Insurance  
Corp., use as an additional address

### **USDA - IL State ASCS Office**

2305 W. Monroe St., #2  
Springfield, IL 62794

When scheduling Federal Housing  
Administration, use as an additional  
address

### **Federal Housing Administration**

Dept. of Housing & Urban Development  
Washington, D.C. 20411

When scheduling State of IL for taxes  
(R.O.T., Sales tax, Withholding tax,  
Income Tax, or if tax not designated)

**IL Dept. of Revenue**  
Bankruptcy Section  
P.O. Box 64338  
Chicago, IL 60664-0338

When scheduling State of IL for  
unemployment taxes, payroll

**IL Dept. of Employment Security**  
Insolvency/Bkcy Subunit  
Field Audit Section  
401 S. State St.  
3M 5B  
Chicago, IL 60605

also add:

**Attorney General**  
401 S. State St.  
2 North  
Chicago, IL 60605

When scheduling State of IL for franchise  
tax

**State of IL**  
Corporation Dept.  
Franchise Tax Div.  
Springfield, IL 62706

When scheduling Dept. of Public Aid

**IL Dept. of Public Aid**  
Bureau of Collections  
Jesse B. Harris Bldg.  
100 S. Grand Ave. East  
Springfield, IL 62762

When scheduling State of IL student loan

**IL State Scholarship Commission**  
1755 Lake Cook Rd.  
Deerfield, IL 60015

When scheduling any student loan, use as  
an additional address

**US Department of Education**  
Claims/Collections Office  
111 N. Canal Street, #830  
Mail Stop #1009  
Chicago, IL 60606

When scheduling real estate and personal  
property taxes

**County Collector**  
\_\_\_\_\_ County  
\_\_\_\_\_, IL (zip code)

When debtor engaged in business of transporting persons or property, use as an additional address

**Chief Counsel**  
Transportation Audits  
GSA - General Law Division  
Room 4124  
Washington, D.C. 20405

When debtor is a land developer, use as an additional address

**Dept. of Housing & Urban Development**  
Office of Interstate Land Sales Registration  
Washington, D.C. 20410

When scheduling a component of U.S. Army, use as an additional address

**Commander**  
U.S. Army Finance & Acctg Center  
Attn: FINCL  
Indianapolis, IN 46249

When scheduling a component of U.S. Navy, use as an additional address

**Department of Navy**  
Navy Finance Center  
Federal Bldg.  
Cleveland, OH 44199

When scheduling Economic Development Administration (Economic Development Administration, U.S. Dept. of Commerce, EDA), use as an additional address

**Ass't Chief Counsel for Litigation and Liquidation**  
Economic Development Administration  
Room 7106  
U.S. Dept. of Commerce  
Washington, D.C. 20230

When scheduling U.S. Postal Service, use as an additional address

**Postmaster General**  
U.S. Postal Service  
475 L'Enfant Plaza  
Washington, D.C. 20260

When scheduling a debt to the United States other than for taxes BR 2002(j)

**Name of Agency**  
c/o U.S. Attorney  
600 E. Monroe Street #312  
Springfield, IL 62701-1626

## SEARCH FEE GUIDELINES

You are encouraged to call the free computer line (VCIS), use PACER, or obtain free information in person with the use of Computer Terminals in each staffed office.

**ALL REQUESTS MUST BE IN WRITING or IN PERSON.**  
**NO INFORMATION WILL BE GIVEN BY PHONE.**

### **SEARCH FEE OF \$20.00 (paid in advance)**

Any request requiring a physical search of court records in computer or in the case file by Deputy Clerk is considered a Search of Record and requires a \$20.00 fee plus \$ .50 per page of copywork paid in advance for:

All written requests; (See exceptions under "No Search Fee")

Information whether an entity is listed as a creditor;

Copies of petition, schedules, and other documents;

All in-person requests if Deputy Clerk must search the file for information. *No search fee if deputy retrieves file for person to view or if documents to be copied have been marked with paper clips by requesting party.*

### **NO SEARCH FEE TO OBTAIN:**

Case Number when exact name of debtor is provided;

Date bankruptcy filed when exact name of debtor is provided;

Name of debtor when case number is provided;

Social Security number of debtor;

Whether case was filed as a voluntary case or an involuntary case;

Chapter Number of originally filed case;

Name of Debtor's Attorney;

Name of Trustee;

Whether the case is an Asset Case or a No Asset Case;

**NO SEARCH FEE CONT'D**

Date No Asset Report filed;

Date Final Report filed;

Date Discharge issued;

Date, Time and Place of Sec. 341 Meeting;

General Status of Case - Pending or Closed;

Date Notice of Appeal filed, if applicable.

## **COPYWORK POLICY**

Copy requests may be made in writing, by fax or in person at the appropriate clerk's office.

### **ALL COPY WORK MUST BE PREPAID**

*See Policy on Checks and Cash*

*Also see Search Fee Guidelines*

### **WRITTEN REQUESTS**

The exact document(s) must be identified. You will be notified of the number of pages involved and the cost at \$ .50 per page plus \$20.00 search of record fee. Mail payments must be made by business check, money order or cashier's check. Upon receipt of payment, copy work will be mailed to you. Be certain you include a postage prepaid self addressed stamped envelope. You will be notified of the required postage.

### **FAX REQUESTS**

Requests for copywork may be faxed to the following numbers:

Danville	217-431-2694
Peoria	309-671-7076
Springfield	217-492-4556

### **IN PERSON REQUESTS**

Any request requiring a physical search of court records by the Clerk or a Deputy Clerk is considered a Search of Record and requires a \$20.00 fee. No search fee if deputy retrieves file for person to view or if documents to be copied have been marked with paper clips by requesting party. Exact change is required.

Copies can usually be obtained when requested, unless we are extremely busy or several copies are requested.

### **ARCHIVED CASES**

A case requested may be at the Federal Record Center in Chicago. There are now two options to choose from when copies are needed from an archived case.

United States Bankruptcy Court  
Central District of Illinois  
(address)

In re: \*

Case No. \*

\*  
\*  
\*

The above-named case is located in the Federal Records Center in Chicago. There are two options available for obtaining copies of documents in this case.

**Option A:**

You may contact the Federal Records Center directly to receive copies of documents from the case file. You **must** provide the Federal Records Center with the accession numbers, location and box number for this file. We have completed this information for you on the front of the enclosed form.

The Federal Records Center attempts to process requests for copies within three business days of receipt. You may choose to have the copies mailed or faxed. There is no case retrieval fee. The enclosed form provides copywork cost information. The Federal Records Center accepts personal checks as well as credit cards.

**Option B:**

Upon receipt of a \$35.00 retrieval fee, this office will request the case file from the Federal Records Center. It will take approximately 2 weeks for us to receive the file. We will then provide you (by fax or mail) with a cost quote for the copies you have requested (\$.50 per page). Upon receipt of the copywork fee, the copies will be mailed to you.

To proceed with this option, please send \$35.00 in the form of a money order/cashier's check, or firm check made payable to Clerk, U.S. Bankruptcy Court.

Date:

Hardin W. Hawes  
Clerk of Court

By: \_\_\_\_\_

Deputy Clerk



## **PAYMENT BY CHECK OR CASH**

**Submit Money Order, Certified Check, Bank Cashier Check, or Business Check ONLY.**

### **CHECKS:**

Make payable to: Clerk, U.S. Bankruptcy Court

or

U.S. Bankruptcy Court

### **NOT ACCEPTED:**

Personal Check

Third Party Check

Blank Check

Unsigned Check

Incorrect Amount - amount must be **EXACT**

Numerical Figure and Written Amount do not agree

Postdated Check

Check made payable to an unacceptable party - *See above*

**\*\*\*NOTE\*\*\*** - *There is a \$35.00 service charge on all returned checks.*

### **CASH:**

No Foreign Money accepted.

Must be **EXACT AMOUNT** only. We do not make change.

Cash payments accepted only in person at the counter.

Cash received in mail will be promptly returned.

# **PACER**

## **(Public Access to Court Electronic Records)**

### **INTRODUCTION**

PACER is an electronic access system designed to provide the public with easier and better access to court information.

Using your own computer and a modem, PACER will enable you to receive information about any pending or recently closed bankruptcy case filed in the Central District of Illinois. Case information can be saved on your own computer or printed out on your office printer.

### **EQUIPMENT NEEDED**

You will need the following equipment (any brand/make) to access PACER.

1. A Computer or a Dumb Terminal
2. Printer

A printer is not necessary to Access PACER. However, a printed version of the case information is easier to read and can serve as a file copy for later reference. You will need a printer that can handle output formatted for 80 columns wide.

3. Modem

A Hayes compatible modem is recommended. The PACER system will accept modem speeds from 300 baud up to and including 19.2 Kbps.

**Please contact your equipment vendor if you have difficulties with your equipment. Neither the court nor the PACER Billing Center is able to provide technical assistance if you experience problems getting your PC to communicate or have other difficulties using your terminal or computer equipment.**

### **TECHNICAL SPECIFICATIONS**

Our system is set for 8 bits, 1 stop bit and no parity. This standard may already be the default in your system.

If you experience difficulties in connecting with our system, contact your equipment vendor.

## **ACCESS SIGN UP**

You must complete a PACER Registration Form (available in the Clerk's office) and send or Fax to:

*Pacer Billing Center  
Pacer Registration  
P.O. Box 780549  
San Antonio, TX 78278-0549*

*Fax No: 512-308-3763*

In about two weeks you will receive a login/password for the system.

## **COST**

The U.S. Congress has given the Judicial Conference of the United States authority to impose user fees for electronic access to case information.

All registered agencies or individuals will be assessed the charge of \$ .60 per minute of access time.

PACER billing begins upon a successful login. Fees accrue until the session is terminated by the user or if there is an abnormal exit. An abnormal exit is defined as turning of the modem in mid-transmission, losing the carrier, etc.

You will be billed quarterly by the PACER Billing Center.

## **HOURS**

You may dial-in to PACER virtually round-the-clock. Because there are several lines available on an automatic rotary, you should seldom receive a busy signal.

## **TIME LIMITS**

There is an "idle time" limit (how long you can just let it sit there without doing anything) as well as a "session time" limit (how long your session can last). You will be warned when either limit is approaching.

You are allowed a session of 10 minutes. You are permitted to re-dial the service if you need more time.

The "idle time" limit is 1.5 minutes. If you "do nothing" for over one and a half minutes, your session will be automatically terminated.

## **INFORMATION TIMETABLES**

The PACER system currently runs on a computer that is separate from the court's main computer. This allows you electronic access to court information without slowing down our operations.

The PACER system is updated early each morning with all the information entered into the court's computer system the previous day.

## **HOW TO USE PACER**

To use PACER, simply follow this checklist:

### **1. SET UP YOUR EQUIPMENT**

If you are using a terminal or terminal with printer, just turn everything on.

If you are using a PC or other computer system, use your standard startup procedure.

You will need to communicate at 1200 or 2400 baud, 8 data bits, one stop and no parity. This standard set up may already be the default in your system.

### **2. DIAL THE COURT'S COMPUTER NUMBER**

Use your modem to dial into PACER. The PACER number for the Central District of Illinois U.S. Bankruptcy Court is (217) 492-4260 or 800-454-9893.

### **3. LOG IN**

Enter the user name and password given to you by the PACER Billing Center.

### **4. DOWNLOADING INFORMATION FROM PACER TO YOUR PC (Save to Disk)**

Set your communications software to perform a continuous save to disk during the entire session. When you finish your session, you can edit the saved file (if necessary) and print it out for review and reference.

### **5. PRINTING**

Using DOS or your word processing software, print the file that was saved to disk during your PACER session.

The output is formatted for 80 columns. Your printer must be able to handle output at least that wide.

Pagination is designed for standard 11 inch paper.

Although form feed codes (CTRL L) are used to separate the pages, you can edit and paginate to suit your needs using any editor or word processor.

## **ABOUT PACER INFORMATION**

Once you connect to PACER and enter your identification number and password, the "Public Access Menu" will appear listing the type of reports available in this court.

The following is a brief summary of the various options available on the "Main Public Access Menu"

1. Active Cases (Basic Case Info, Dockets & Registry of Claims)  
For pending cases and cases that have been closed less than six months.....
  - \*Allows you to select a case by participant name or case number.
  - \*Provides case summary information.
  - \*Provides the last twelve months of docket entries.
  - \*Provides a listing of all claims filed to date.
2. Listing of New Cases
  - \*Provides a listing of cases opened in BANCAP for the past 7 calendar days.
3. Registry of Claims Only, by Claimant Name or Case Number  
For pending cases and cases that have been closed less than six months.....
  - \*Allows you to select a case by participant name or by case number.
  - \*Provides a listing of all claims filed to date.
4. Closed Cases (Archives-Basic Case Information Only)
  - \*Provides case summary information for cases closed at least six months.
  - \*Allows you to select by case number or participant name.
5. Request Mailing Matrix (available next day request)
  - \*Allows you to request mailing matrices.
  - \*Display mailing matrices.
  - \*Delete matrix requests.
  - \*Provides status of requests.
6. Review Billing History
7. Change Password
9. Exit-Logout

## **TIPS ON USING PACER**

### Selecting Cases by Participant Name:

PACER allows you to access case information by entering a case number or by entering the name of a participant in the case.

PACER searches for the name exactly the way you type it (however, it does ignore upper and lower case letters)

In any court, there are a number of people who enter cases in the computer. Because there can be some variations in how a name actually goes in, you may have to try several searches to find a party of interest. For example, the United States Air Force could be entered in several ways:

United States Air Force  
U.S. Air Force  
U.S.A.F.  
Air Force

If you ask PACER to search for a party who is in too many cases, the system will spend a minute or two searching, then will eventually complain that too many cases were selected. You must search again, using a more specific name.

When selecting a case by participant name, try typing in only a portion of the name; enough to eliminate too many cases being selected, yet not so much that a case cannot be found due to variations in the way the name was entered.

#### For Example:

You wish to search for a case involving debtor Rose Adams. You are not sure how she may have signed her bankruptcy petition - Rosy Adams, Rosie Adams, Rosemary Adams

If you search using "adams", PACER tells you "too many cases matches. Please use a more specific name"

If you search using "adams, rosy", PACER tells you "Sorry, no matching person"

A search using "adams, ros" will result in a match with case 92-82026 Adams, Rosie, B.

## **GUIDE TO THE HELP COMMANDS:**

<u>PRESS:</u>	<u>TO:</u>
h	view help screen
q	quit or exit
d or ^D	display half of a page more
l	display the next line
-1l	display the previous line
-3l	display the previous 3 lines
. or ^L	redisplay current page



## Registry of Mailing Addresses for State and Governmental Units

### **\*Illinois Capital Development Board**

Chief Counsel  
Illinois Capital Development Board  
401 S. Spring St., 3<sup>rd</sup> Floor  
Springfield, Illinois 62706

### **\*Illinois Department of Human Services**

General Counsel  
Illinois Department of Human Services  
100 W. Randolph, Suite 6-400  
Chicago, Illinois 60601

### **\*Illinois Department of Natural Resources**

Chief Legal Counsel  
Illinois Department of Natural Resource  
1 Natural Resources Way  
Springfield, Illinois 62703

### **\*Illinois Department of Public Aid**

William C. Kurylak  
Illinois Department of Public Aid  
Office of General Counsel  
401 South Clinton Street  
6<sup>th</sup> Floor  
Chicago, Illinois 60607

### **\*Illinois Department of Public Health**

Division of Legal Services  
Attn: Bankruptcy Notice  
Illinois Department of Public Health  
535 West Jefferson, 5<sup>th</sup> Floor  
Springfield, Illinois 62761

### **\*Texas Workforce Commission**

Texas Workforce Commission  
Bankruptcy Unit, Rm 556  
101 E. 15<sup>th</sup> St.  
Austin, TX 78778-0001

### **\*Treasurer of the State of Illinois**

Office of the State Treasure  
Legal Department  
James R. Thompson Center  
100 W. Randolph Street  
Suite 15-600  
Chicago, Illinois 60601

### **\*Illinois Department of Employment Security**

Bankruptcy Section  
401 S. State St., 4<sup>th</sup> Floor  
Chicago, IL 60605

### **\*U.S. Securities and Exchange Commission**

175 W. Jackson Blvd.  
Suite 900  
Chicago, IL 60604

### **\*Illinois Department of Revenue**

Bankruptcy Section  
P.O. Box 64338  
Chicago, IL 60664-0338

VCIS  
(Voice Case Information Service)

## **INTRODUCTION**

VCIS is a service provided by the federal bankruptcy courts which allows you to dial in and get information about any pending bankruptcy case filed in the Central District of Illinois by using any standard touch tone telephone.

When you call the VCIS number, the computer answers the phone and gives you three different options. They are: push the number 1 key to hear instructions, push the number 2 key to search by name, and push the number 3 key to search by case number. Using the keys on your phone, punch in the name of a participant in the case or the case number followed by the pound key. A few seconds after you punch the "#" (pound) button (indicating that you've finished entering the name), the computer will give you the most current information available about that case.

### **Information includes:**

- Case number and Debtor's name, including spouse's name, if any
- Whether there are assets
- Chapter under which case was filed, or, if the case was converted, the current
- Chapter number of the case, and the date of conversion
- Date Case was filed
- Attorney for Debtor and his/her phone number
- Case trustee
- Present status of case
- Name of Judge
- Last date for filing claims if the claim date has not passed

## **EQUIPMENT NEEDED**

A touch-tone telephone (any brand/make)

## **HOURS**

Weekdays	:	all hours except 5:00 p.m. to 7:00 p.m.
Saturday - Sunday	:	24 hours

## **LIMITS**

Currently, the VCIS will allow you to search for 3 names during one phone call.

## HOW TO USE THE VCIS

QZ 1	ABC 2	DEF 3
GHI 4	JKL 5	MNO 6
PRS 7	TUV 8	WXY 9
*	OPER 0	#

To use the VCIS, simply follow this checklist:

1. Dial 492-4550 in Springfield, or toll free 800-827-9005 outside of Springfield.
2. Press the number 1 if you want instructions, number 2 if you want to search by name, and number 3 if you want to search by case number.
3. To enter the name of a case participant:

Names are given to the computer by pressing keys on your telephone that correspond to the letters in the name. Use the "1" key for the letters "Q" and "Z". and skip any characters that are not letters, such as spaces, apostrophes, and dashes.

- a. If the name is an individual, enter the last name followed by the first name. For example, to enter the name "Joe O'Riley", you would press the following keys:

O MNO 6	R PRS 7	I GHI 4	L JKL 5	E DEF 3	Y WXY 9
J JKL 5	O MNO 6	E DEF 3	#		

- b. If the name represents a company, type the company name. Omit prefix "the" and suffixes such as "Inc." or "Corp.". For example, the enter the name "Joe's Subs, Inc.", you would press the following keys:

J	O	E	S
JKL	MNO	DEF	PRS
5	6	3	7

S	U	B	S	
PRS	TUV	ABC	PRS	#
7	8	2	7	

4. Press the # (pound) key to tell the computer you're finished with the name.
5. Listen for the system to give you information. If more than one case matches, information on each case will be read, if you wish, by pressing the number 5 after each case is read, or you have the option to stop after you have the information you want.
6. If you wish to go on to another case, press the number 3.

## **GENERAL INFORMATION**

### **LOCAL RULES**

There are no local rules in the Central District of Illinois Bankruptcy Court. The local rules of the U.S. District Court for the Central District of Illinois and the Federal Rules of Bankruptcy Procedure apply. District Court's local rules may be obtained in person at one of the District Clerk's offices or by submitting a stamped, self addressed 9½" x 12" envelope with \$3.00 postage prepaid to U.S. District Court, 151 U.S. Courthouse, 600 E. Monroe Street, Springfield, Illinois 62701.

### **ATTORNEYS' FEES IN CHAPTER 13 CASES**

See Appendix at the end of this Practitioners Manual.

### **USE OF FAX MACHINE**

Pleadings may be submitted by facsimile machine only with prior approval of the Court.

### **ATTORNEY ADDRESSES**

The address that is in the computer is the one used by the Court. Changes are not made automatically. Change of address/phone number must be submitted in writing to the Court. "P.O. Box" address is sufficient.

### **REAFFIRMATION AGREEMENTS**

Reaffirmation agreements must be signed by the debtor(s) and the creditor. A hearing is required to obtain court approval of the reaffirmation agreement only if the debtor is pro se or if there is not a signed attorney affidavit filed with the agreement.

Reaffirmations filed after issuance of discharge:  
Motion to Vacate Discharge required.

### **INSTRUCTION PAMPHLETS AVAILABLE**

There are pamphlets available in each of the divisional offices which briefly outline the basic information, filing requirements, and guidelines for preparing the creditor matrix for Chapter 7 and Chapter 13 bankruptcies.

## **EMERGENCY FILINGS**

For emergency filings when the Clerk's office is not open, contact the Clerk of Court, Hardin W. Hawes, at 217-787-9080 or the Chief Deputy Clerk, Pamela C. Schuster at 217-546-5401.

## **SETTING MATTERS FOR HEARING**

The Clerk's office will set matters for hearing on the first available court date. There is no need to formally request a hearing.

## **DISCHARGE ORDERS**

Unless an objection has been filed, discharge orders will be mailed approximately eight weeks from the date the first meeting of creditors was originally set.

## **AMENDMENTS**

When submitting amendments to the matrix, lists or schedules, please submit only the changes.

## **BANKRUPTCY NOTICING CENTER**

Many of our notices including 341 Notices and Discharges are now produced and mailed from the Bankruptcy Noticing Centers in Virginia and Utah. For this reason, the documents are being received several days later than the ones which are mailed locally. It is the responsibility of the Attorney for the Debtor to readdress and re-send undeliverable mail and then notify the Court as to any changes of address.

## BASIC INFORMATION ABOUT CHAPTER 7

### U.S. Bankruptcy Court Central District of Illinois

#### Chapter 7

- . Basic Information
- . Filing Requirements
- . Guidelines For  
Preparing The Creditor  
Matrix

Chapter 7 is designed for individuals and businesses who wish to make a fresh start, but cannot pay their debts from their income. Under this chapter, the individual debtor is permitted to exempt, or keep, certain property. The remaining property is liquidated, that is, sold by an impartial trustee, and the money from the sale is paid to creditors.

A Chapter 7 case begins with the filing of a petition, schedule of assets and liabilities, and a statement of financial affairs, with the bankruptcy court. Official Bankruptcy Forms can be purchased at a legal stationery store. They are NOT available from the court.

Upon the filing of the petition, an impartial trustee is appointed by the United States Trustee to administer the case and liquidate the debtor's non-exempt assets.

A husband and wife may file one joint petition. When this is done, they need to be sure to give the required data for both spouses.

One of the official forms is a schedule of "Exempt" property. Federal bankruptcy law establishes exemptions for some types of property. However, many states, including Illinois, have adopted their own exemption laws, in place of the federal exemptions.

After the petition is filed, creditors will receive notice of the filing. Once the petition has been filed, most actions by creditors to collect money owed to them must stop.

Next, a "meeting of creditors" is held. The debtor must attend this meeting (if husband and wife file jointly, BOTH must attend). Creditors may appear and ask questions regarding the debtor's financial affairs and property. The trustee will conduct this meeting and question the debtor on the same matters. The debtor must provide any financial records or documents that the trustee requests.

If the debtor has assets that cannot be exempted, the trustee will take those assets and sell them. The money received at the sale will then be used to pay creditors and/or administrative expenses.

Some time after the meeting of creditors, the debtor will receive a "discharge", which extinguishes the debtor's obligations to pay many debts. There are some debts which cannot be discharged. In addition, secured creditors retain some rights which may permit them to seize pledged property, even after a discharge is granted.

This is very basic information. There are numerous other actions and proceedings which could take place in a Chapter 7 case. The bankruptcy law regarding the scope of a Chapter 7 discharge is complex, and debtors should consult competent legal counsel in this regard prior to filing.

This booklet contains general information about Chapter 7 of the U.S. Bankruptcy Code.

While this information is accurate as of the date of publication, it should not be cited or relied upon as legal authority. This information should supplement, not substitute for advice of competent legal counsel. (10/91)

# FILING REQUIREMENTS

## Chapter 7

. FILING FEE \$200.00\*\*

\*\*Filing fee increase effective 12/29/99

. Creditor Matrix

. Voluntary Petition

Original signature(s) required.

*Please provide a phone number  
on your petition where you can  
be reached or where a message  
can be left.*

File original and (3) copies.

. Debtor's Statement of Intention re  
consumer debts secured by personal  
property. Original must be filed at or  
before the first meeting of creditors.

*Original and (3) copies of the following must  
be filed within 15 days from the date petition is  
filed if only to state NONE:*

. Statement of Financial Affairs.  
Official form 7 required.

. Schedules A through J, plus Declaration  
Official Form 6 required.

\*The Filing Fee Must Be In The Form Of Cash,  
Money Order, Or Certified Bank Check. The Clerk's  
Office Cannot Accept Personal Checks.

## GUIDELINES FOR PREPARING THE CREDITOR MATRIX

The list of creditors (matrix) is "read" by an Optical  
Character Reader (OCR). This list is then stored in  
the computer database where it can be used to  
generate bankruptcy notices.

To insure that your matrix can be read by the optical  
scanner, we ask that you observe the following  
guidelines:

1. Lists **MUST BE TYPED** and in one of the following standard  
typefaces or print styles: **Courier 10 pitch - Prestige Elite -  
Letter Gothic**

2. Lists should be typed in a single column on 1 side of the  
paper only.

3. There must be a least a 1/2 inch margin from the edge of the  
paper on all sides (bottom, top, and sides).

4. Each name/address entry must consist of no more than five  
(5) lines, and each entry should have at least 1 blank line  
between it and the next entry.

5. Each line should be no more than 40 characters in length.

6. Put only the names and addresses of your creditors on this  
list. Do not put your name or any other information or marks on  
the front. (If you wish, you may write your name on the back of  
the sheets.)

7. Do not use all capital letters (even on 1 line). Use capital and  
small case.

If these guidelines are not followed, your matrix will be  
returned to you and you will have to prepare another  
one. This will slow the processing of your case and will  
cause needless delays.

Your matrix should be filed with the petition, If this is  
not possible, it **MUST** be filed within 5 days from the  
date petition is filed or your case **WILL BE  
DISMISSED.**

## A SAMPLE MATRIX

Credit Union  
3 College Street  
Peoria, IL 61614

Karle and Mary Smith  
P.O. Box 2  
Blue Springs, MO 64015

City State Bank  
Box 116  
Any City, Illinois

Gas Company  
300 Liberty St.  
Somewhere, IL 61602

Medical Center  
10 Oak Ave.  
Peoria, IL 61636

James P. Organ, M.D.  
222 N. Knoxville Ave.  
Peoria, IL 61614

Quality Systems  
90 Henderson St.  
Yourtown, IL 61401

Bankruptcy fraud is a felony under federal criminal  
law, and may result in arrest, fine, or imprisonment. In  
the event of fraud during any bankruptcy proceeding,  
such as the hiding of assets, or the failure of the debtor  
to obey a lawful order of the court, the discharge can be  
denied or revoked.



## BASIC INFORMATION ABOUT CHAPTER 13

### U.S. Bankruptcy Court Central District of Illinois

#### Chapter 13

- . Basic Information
- . Filing Requirements
- . Guidelines For  
Preparing The Creditor  
Matrix

This booklet contains general information about Chapter 13 of the U.S. Bankruptcy Code.

While this information is accurate as of the date of publication, it should not be cited or relied upon as legal authority. This information should supplement, not substitute for advice of competent legal counsel. (10/91)

Chapter 13 is designed for individuals with regular income who desire to pay their debts but are currently unable to do so. Creditors are repaid, in full or in part, in installments over a three year period. During this time, creditors are prohibited from starting or continuing collection efforts.

A Chapter 13 case begins with the filing of a petition, schedules of assets and liabilities, and a statement of financial affairs with the bankruptcy court. (Official Bankruptcy Forms can be purchased at a legal stationery store. They are NOT available from the court.)

A husband and wife may file a joint petition. However, when only one spouse files, the income and expenses of the non-filing spouse should also be included to accurately assess financial responsibilities.

Upon the filing of the petition, an impartial trustee is appointed by the United States Trustee to administer the case. Also, most actions by creditors to collect money owed to them must end. Creditors are notified of the filing and sent a copy of the proposed plan.

The debtor must file a plan of repayment with the petition or within fifteen days afterward. Plans provide for payments of fixed amounts to the trustee on a regular basis, typically bi-weekly or monthly. A plan for over 3 years must be for cause and in no case may a plan be for more than 5 years. The plan must be approved by the court.

The debtor must state making payments to the trustee within 30 days after the filing of the plan, even if the plan has not yet been approved by the court.

The trustee then distributes the funds to creditors according to the terms of the plan.

Approximately 20 to 40 days after the petition is filed, a "meeting of creditors" is held. The debtor must attend this meeting (if husband and wife file jointly, BOTH must attend). The trustee will

conduct this meeting and question the debtor regarding the debtor's financial affairs and the proposed terms of the plan. Creditors may also attend this meeting and question the debtor.

After the meeting of creditors is concluded, the judge must determine at a confirmation hearing whether the plan is feasible and meets the standards of the Bankruptcy Code. Creditors may appear at the hearing and object to the confirmation of the plan. When the plan is confirmed by the judge, the trustee commences distribution of the funds received from the debtor.

Upon successful completion of a Chapter 13 plan, the debtor will receive a "discharge" which extinguishes the debtor's obligation to pay any unsecured debts that were included in the plan, but were not paid in full through the plan. As in a Chapter 7, some debts cannot be discharged.

This is very basic information. There are numerous other actions and proceedings which could take place in a Chapter 13 case. The bankruptcy law regarding the scope of a Chapter 13 discharge is complex, and debtors should consult competent legal counsel in this regard prior to filing.

\*\*\*\*\*

# FILING REQUIREMENTS

## Chapter 13

. FILING FEE \$185.00\*

\*\* Filing fee increase effective 12/29/99

. Creditor Matrix

. Voluntary Petition

Official Form 1 required

Original signature(s) required.

Please provide a phone number on your petition where you can be reached or where a message can be left.

File original and (3) copies

. Chapter 13 Plan. Original and 1 copy must be filed *within 15 days from date petition filed.*

*Original and (3) copies of the following must be filed within 15 days from the date petition is filed if only to state none:*

. *Statement of Financial Affairs.*  
*Official Form 7 required.*

. *Schedules A through J, excluding C,*  
*plus Declaration*  
*Official Form 6 required.*

*\*The Filing Fee Must Be In The Form Of Cash, Money Order, Or Certified Bank Check. The Clerk's Office Cannot Accept Personal Checks.*

## GUIDELINES FOR PREPARING THE CREDITOR MATRIX

The list of creditors (matrix) is "read" by an Optical Character Reader (OCR). This list is then stored in the computer database where it can be used to generate bankruptcy notices.

To insure that your matrix can be read by the optical scanner, we ask that you observe the following guidelines:

1. Lists MUST BE TYPED and in one of the following standard typefaces or print styles: **-Courier 10 pitch**  
**-Prestige Elite -Letter Gothic**
2. Lists should be typed in a single column on 1 side of the paper only.
3. There must be at least a 1/2 inch margin from the edge of the paper on all sides (bottom, top, and sides).
4. Each name/address entry must consist of no more than five (5) lines, and each entry should have at least 1 blank line between it and the next entry.
5. Each line should be no more than 40 characters in length.
6. Put only the names and addresses of your creditors on this list. Do not put your name or any other information or marks on the front. (If you wish, you may write your name on the back of the sheets.)
7. Do not use all capital letters (even on 1 line). Use capital and small case.

If these guidelines are not followed, your matrix will be returned to you and you will have to prepare another one. This will slow the processing of your case and will cause needless delays.

Your matrix should be filed with the petition. If this is not possible, it MUST be filed within 5 days from the date petition is filed your case WILL BE DISMISSED.

## A SAMPLE MATRIX

ABC Credit Union  
3927 N. University  
Anytown, IL 64033

Karle and Mary Smith  
P.O. Box 2  
Blue Springs, MO 64015

City State Bank  
Rt. 116  
Big City, Illinois

Gas Company  
300 Liberty St.  
Podunk, IL 602221

Medical Center  
221 NE Oak Ave.  
Peoria, Illinois

James Q. Organ, M.D.  
42 N. Knoxville Ave.  
Peoria, IL 61614

Quality Systems  
975 N. St.  
Galesburg, IL 61401

Bell Telephone  
Bill Payment Center  
Arthur, IL 60663

Bankruptcy fraud is a felony under federal criminal law, and may result in arrest, fine, or imprisonment. In the event of fraud during any bankruptcy proceeding, such as the hiding of assets, or the failure of the debtor to obey a lawful order of the court, the discharge can be denied or revoked.

## APPENDIX

**FILED**

TIME

JUL 13 2001

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS  
600 East Monroe Street, Springfield, Illinois 62701

HARDIN W. HAWES, Clerk  
U. S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS

### **STANDING ORDER REGARDING ATTORNEY FEES FOR DEBTOR'S COUNSEL IN CHAPTER 13 CASES**

The Bankruptcy Court for the Central District of Illinois in the Springfield Division currently does not require debtor's counsel to file an application for compensation in any Chapter 13 case where attorney fees do not exceed \$1,300. The Court does require debtor's counsel to submit an itemized application for compensation in any Chapter 13 case where attorney fees sought exceed \$1,300. Effective as of the date of this Order, the review threshold will be increased by \$200 and this Court will require an itemized fee application where the attorney fees sought exceed \$1,500. Attorney fees in excess of \$1,500 shall be requested by application in accordance with Rule 2016 of the Federal Rules of Bankruptcy Procedure. In Chapter 13 cases where the fee requested does not exceed \$1,500, the Court will now require that an application for compensation be filed. Said application for compensation need not be itemized unless the aggregate attorney fees sought exceed \$1,500.

Allowed attorney fees may be paid in advance of or through the plan. The attorney may receive all or part of the allowed fees prior to the filing of the case, provided those fees are deducted from the total allowed fees to be paid through the confirmed plan. The rate of payment of the fees through the plan shall not exceed \$125 per month from each of the first six monthly plan payments. Any additional attorney fees remaining due beyond that shall be paid in equal monthly installments from the next eighteen monthly plan payments, or upon completion of the plan, whichever is sooner. The Chapter 13 trustee may, from time to time, recommend, and the Court, in its discretion, may, from time to time, approve payment in variation from this provision.

The duties designated below are presumed to be included within the scope of services rendered by the attorney to the debtor. If an attorney fails to perform any required duty, the Court, upon notice and hearing, may order the attorney to disgorge all or any part of the fees received, as the Court, in its discretion, deems appropriate. Upon request or objection of the Court or an interested party, the Court will consider whether the debtor's attorney fees should be limited to an amount less than \$1,500 based on the circumstances of a particular case.

The debtor's attorney's duties in a Chapter 13 case include, but are not necessarily limited to, the following:

1. Consult with and advise the debtor about the differences and relative advantages and disadvantages of proceeding under Chapter 7 and Chapter 13.
2. Prepare and file the petition, statement of financial affairs, all schedules, and the


creditor matrix.

3. Prepare and file a Chapter 13 plan.
4. Upon information received from the debtor, take steps necessary to avoid the termination of, or to allow the reinstatement of, necessary utility services of the debtor by providing proof of filing of the petition to utility service creditors.
5. Take steps necessary to obtain the return of repossessed vehicles proposed to be retained by the debtor under the plan.
6. In the event of pending state or federal court litigation, notify creditor's attorneys, and appropriate court(s) in which the litigation is pending, that the bankruptcy case has been filed.
7. Send out an information letter to the debtor reminding the debtor to attend the 341 hearing, specifying the time and location of that hearing, and providing information advising the debtor as to the procedures of the 341 hearing.
8. Appear at the 341 meeting of creditors with the debtor and confer with the debtor to prepare him or her to testify at the 341 meeting.
9. Upon information received from the debtor, take steps necessary to terminate pending wage garnishments, including filing a Motion to Terminate Garnishment.
10. Attend all court hearings in the case.
11. Prepare all court mandated pre-trial statements, reports, briefs, etc.
12. Respond to objections to plan confirmation and, where necessary, prepare an amended plan.
13. Prepare, file, and serve necessary amended statements and schedules, in accordance with information submitted by the debtor, provided the debtor pays the Court's filing fee.
14. Prepare, file, and serve necessary motions to buy, sell, or refinance real property and vehicles, when appropriate.
15. File a statement with the Court after the claim date has passed that the claims filed have been reviewed and any objections have been filed on disputed claims.
16. File proofs of claim for creditors who fail to file claims, if it is in the debtor's best interest to file such a claim.

17. Advise and represent the debtor with respect to stay relief or adequate protection motions.
18. Prepare, file, and serve motions to avoid liens on real or personal property.
19. Upon information received from the debtor, contact creditors who continue to communicate with the debtor after filing.
20. Confer by letter and in writing with the debtor, the trustee, creditors, or their counsel, as may from time to time be necessary for the proper administration of the case.
21. Provide such other legal services as are necessary for the administration of the case before the Bankruptcy Court.

This Standing Order shall be applicable to cases filed on or after this date.

DATED this 13th day of July, 2001.

  
LARRY LESSEN  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
DANVILLE/URBANA DIVISION

FILED

TIME

JUL 06 2000

HARDIN W. HAWES, Clerk  
U. S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS

ORDER REGARDING ATTORNEY FEES  
FOR DEBTORS' COUNSEL  
IN CHAPTER 13 AND CHAPTER 7 PROCEEDINGS

Chapter 13

The Bankruptcy Court in the Danville/Urbana Division, Central District of Illinois, currently requires Debtors' counsel to submit a detailed fee itemization in any Chapter 13 case where compensation sought is in excess of \$1,000. Effective the date of this Order, this Court will now require a detailed fee itemization where the fee sought is in excess of \$1,500.

Chapter 7

The Bankruptcy Court in the Danville/Urbana Division, Central District of Illinois, currently requires Debtors' counsel to submit a detailed fee itemization in any Chapter 7 case where compensation sought is in excess of \$1,000. Effective the date of this Order, this Court will have no specific dollar review level, but will review Chapter 7 attorney fees for reasonableness.

ENTERED: July 6, 2000.

  
Gerald D. Fines  
Chief U. S. Bankruptcy Judge



**FILED**

TIME \_\_\_\_\_

AUG 03 2000

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS  
100 N.E. Monroe, 131 Federal Bldg., Peoria, IL 61602

MARDIN W. HAWES, Clerk  
U.S. BANKRUPTCY COURT  
CENTRAL DISTRICT OF ILLINOIS

**STANDING ORDER REGARDING ATTORNEY FEES FOR DEBTOR'S COUNSEL  
IN CHAPTER 13 CASES**

The Bankruptcy Court for the Central District of Illinois in the Peoria Division currently requires debtor's counsel to submit an itemized fee application in any Chapter 13 case where attorney fees sought exceed \$1,000. Effective as of the date of this Order, the review threshold will be increased by \$500 and this Court will require an itemized fee application where the attorney fees sought exceed \$1,500. Attorney fees in excess of \$1,500 shall be requested by application in accordance with Rule 2016 of the Federal Rules of Bankruptcy Procedure.

Allowed attorney fees shall be paid through the plan. The attorney may receive all or part of the allowed fees prior to the filing of the case, provided those fees are deducted from the total allowed fees to be paid through the confirmed plan. The rate of payment of the fees through the plan shall not exceed the lesser of (1) 50% of the funds distributed by the trustee after payment of administrative expenses (including the trustee's fee) or (2) \$150 per month, unless the Chapter 13 trustee recommends and the Court approves a larger monthly payment amount.

The duties designated below are presumed to be included within the scope of services rendered by the attorney to the debtor. If an attorney fails to perform any required duty, the Court, upon notice and hearing, may order the attorney to disgorge all or any part of the fees received, as the Court, in its discretion, deems appropriate. Upon request or objection of an interested party, the Court will consider whether the debtor's attorney fees should be limited to an amount less than \$1,500 based on the circumstances of a particular case.

The debtor's attorney's duties in a Chapter 13 case include, but are not necessarily limited to, the following:

1. Consult with and advise the debtor about the differences and relative advantages and disadvantages of proceeding under Chapter 7 and Chapter 13.
2. Prepare and file the petition, statement of financial affairs and all schedules.
3. Prepare and file a Chapter 13 plan.
4. Upon information received from the debtor, take steps necessary to avoid the termination of, or to allow the reinstatement of, necessary utility services of the debtor by providing proof of filing of the petition to utility service creditors.
5. Take steps necessary to obtain the return of repossessed vehicles proposed to be retained by the debtor under the plan.

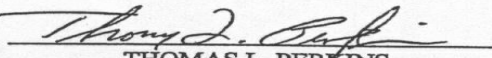
6. In the event of pending state or federal court litigation, notify creditor's attorneys, and appropriate court(s) in which the litigation is pending, that the bankruptcy case has been filed.
7. Send out an information letter to the debtor reminding the debtor to attend the 341 hearing, specifying the time and location of that hearing, and providing information advising the debtor as to the procedures of the 341 hearing.
8. Appear at the 341 meeting of creditors with the debtor and confer with the debtor to prepare him or her to appear at the 341 meeting.
9. Upon information received from the debtor, take steps necessary to terminate pending wage garnishments, including filing a Motion to Terminate Garnishment.
10. Attend all court hearings in the case.
11. Prepare all court mandated pre-trial statements, reports, briefs, etc.
12. Respond to objections to plan confirmation and, where necessary, prepare an amended plan.
13. Prepare, file, and serve necessary amended statements and schedules, in accordance with information submitted by the debtor, provided the debtor pays the Court's filing fee.
14. Prepare, file, and serve necessary motions to buy, sell, or refinance real property and vehicles, when appropriate.
15. Object to improper or invalid claims based upon documentation provided by the debtor.
16. File proofs of claims for creditors who fail to file claims, if it is in the debtor's best interest to file such a claim.
17. Advise and represent the debtor with respect to stay relief or adequate protection motions.
18. Prepare, file, and serve motions to avoid liens on real or personal property.
19. Upon information received from the debtor, contact creditors who continue to communicate with the debtor after filing.



20. Provide such other legal services as are necessary for the administration of the case before the Bankruptcy Court.

This Standing Order shall be applicable to cases filed on and after this date.

DATED this 3rd day of August, 2000.

  
THOMAS L. PERKINS  
UNITED STATES BANKRUPTCY JUDGE